

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In re

ROBIN C KLEIN

Debtor(s).

)
) Case No. 11-35505-PCM13
)
) TRUSTEE'S MOTION TO DISMISS
) FOR FAILURE TO COMPLETE PLAN
) WITHIN SIXTY (60) MONTHS
)
)

Wayne Godare, Standing Chapter 13 Trustee ("Trustee"), moves this Court for an order dismissing this case due to the failure of Debtor(s) to complete the plan within the sixty-month limit as required by 11 U.S.C. § 1322(d). The sixtieth plan payment is due in June 2016.

The plan appeared feasible at the time of confirmation. However, Debtor(s) failed to:

- ___ pay to the Trustee all required plan payments
- ___ pay to the Trustee all tax refunds as required by plan ¶1(c)
- ___ provide the Trustee copies of tax returns for tax year(s) _____
- ___ pay to the Trustee additional income as required by plan ¶___
- ☒ sell or refinance an interest in real property by July 24, 2014

The amount necessary to pay off the case is approximately \$18,010. If there are no further attorney fees, it will take 46 more months to complete the plan at the current plan payment of \$400.

The Trustee requests the Court dismiss this case since the plan will not complete within the maximum sixty-month limit. The Trustee requests the Court set a hearing on this Motion.

Dated: June 29, 2016

/s/ Wayne Godare
Standing Chapter 13 Trustee

I certify that on June 29, 2016, copies of this Motion were served on Debtor(s) via first class mail, at the address listed in the Court records, and on the attorney for Debtor(s) electronically via ECF.

/s/ Wayne Godare
Standing Chapter 13 Trustee